

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRIAN HUDDLESTON,

Plaintiff,

vs.

**FEDERAL BUREAU OF
INVESTIGATION and UNITED
STATES DEPARTMENT OF
JUSTICE**

Defendant

Case No. 4:20-cv-447-ALM

UNOPPOSED MOTION FOR EXTENSION OF TIME

NOW COMES Brian Huddleston, the Plaintiff, moving the Court to grant a one-week extension of time to file a sur-reply to Defendant FBI's Reply to Plaintiff's Response to Notice of Supplemental Search Declaration and Vaughn Indices and Response in Opposition to Plaintiff's Cross-Motion for Partial Summary Judgment (Dkt. #106).¹ Mr. Huddleston's request would extend the deadline from March 7, 2023 until March 14, 2023. As a result of pre-planned travel, Plaintiff's Counsel did not have time to prepare and file a sur-reply, hence this request. Plaintiff's Counsel conferred with

¹ The Plaintiff would note that he intends to brief the matters in the February 23, 2023 email attached as Exhibit 1, specifically the FBI's refusal to conduct a full search in compliance with the request that is the subject of the FBI's supplemental search (Dkt. #95) and the Plaintiff's response in opposition (Dkt. #105, p.18). *See* First Amended Complaint 3, ¶6 (Dkt. #3). As witnessed by his signature below, Ty Clevenger declares under penalty of perjury under the laws of the United States that Exhibit 1 is a true and correct copy of correspondence with Defendants' Counsel. He further testifies that the Defendants did not respond to the email.

Defendants' Counsel last week, and the Defendants do not oppose this request for an extension.

Separately, the Plaintiff intends to file his own motion for reconsideration of the Court's September 29, 2022 Memorandum Opinion and Order (Dkt. #70), in part because of events that have happened since the opinion was released. The Plaintiff also intends to file another motion for summary judgment as a result of the FBI's steadfast refusal to search for records in newly-discovered locations where records are likely to be found. The Plaintiff intends to file both motions not later than March 20, 2023.

Respectfully submitted,

/s/ Ty Clevenger

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Counsel for Plaintiff Brian Huddleston

Certificate of Conference

On March 3, 2023, I conferred via email with Asst. U.S. Attorney Andrea Parker, and she indicated that the Defendants do not oppose the Plaintiff's request for a one-week extension.

/s/ Ty Clevenger

Ty Clevenger

Certificate of Service

On March 7, 2023, I filed a copy of this response with the Court's ECF system, which should result in automatic notification via email to Asst. U.S. Attorney Andrea Parker, Counsel for the Defendants, at andrea.parker@usdoj.gov.

/s/ Ty Clevenger
Ty Clevenger